

Date: May 11, 2001

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To:	Facilities for the Developmentally Disabled	FDD - 01-09
	Home Health Agencies	HHA - 01-12
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	Nurse Aide Training and Competency Test Programs	NATP - 01-09
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Bureau of Quality Assurance

<p style="text-align: center;"><b>Employment Requirements for “Nurse Technicians”</b> <b>Employment Requirements for Student Nurses Who Work as Nurse Aides</b></p>
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This memorandum:

1. Clarifies that “nurse technicians” are nurse aides and must comply with the training and testing requirements for nurse aides who work in health care facilities.
2. Explains employment requirements for student nurses who work as nurse aides in health care facilities.
3. Clarifies charge nurse and staffing requirements.

**Nursing homes, hospitals, intermediate care facilities for persons with mental retardation (ICFs/MR), home health agencies and hospices should read this memorandum carefully and take action to ensure compliance with these requirements by December 31, 2001.**

**“Nurse Technicians”**

In 1998, the Department of Regulation and Licensing Board of Nursing (Board) issued a policy statement describing a certain type of nurse aide as a “nurse technician”: a nursing student who either is currently enrolled in a nursing program leading to registered nurse or practical nurse licensure, or has graduated from the program and does not hold a temporary permit, or who has been unsuccessful on the nursing licensure exam and is retaking the exam.

The Board’s policy statement cautioned both registered nurses and facilities that a “nurse technician” is not licensed to practice nursing as a registered nurse or licensed practical nurse. The policy statement also explained that a “nurse technician” performs delegated nursing or nursing-related duties under the direct supervision of a registered nurse.

A person described by the Board as a “nurse technician” is a nurse aide under both Wisconsin and federal law [Secs. 50.01(2) and 146.40(1)(d), Stats., and 42 CFR 483.75(e)]. Accordingly, a “nurse technician” who is employed to perform direct care duties in a health care facility must comply with the training and testing requirements that apply to nurse aides.

### **Charge Nurse Requirements in Nursing Homes**

Section 50.04(2)(b), Stats., requires a nursing home charge nurse to be either a registered nurse or a licensed practical nurse who acts under the supervision of a registered nurse or a physician. The law does not permit a nurse aide, including a nurse aide who is designated as a “nurse technician” or other title, to be a charge nurse.

### **Staffing Requirements in Nursing Homes**

The hours of nursing personnel cannot be counted as part of a nursing home’s staffing level unless the personnel are registered nurses, licensed practical nurses or nurse aides who are included on the Wisconsin Nurse Aide Directory. This applies to all nursing homes licensed under ch. 50, Stats., and ch. HFS 132, Wis. Admin. Code. The only exception to this requirement is a student nurse who has completed the basic nursing course of an accredited nursing school and works as a nurse aide at a nursing home that is only state licensed and is not federally-certified.

### **Student Nurses Who Are Employed by Health Care Facilities as Nurse Aides**

The following requirements apply to a student nurse who is employed by a health care facility to perform direct care duties. They do not apply to the clinical placement and supervision of a student nurse by an accredited nursing school. Health care facilities that employ or contract for a student nurse to provide nursing-related, direct care services must ensure that the person satisfies one of the applicable requirements on the table below. If the student nurse does **not** satisfy one of the requirements, he or she must complete an **approved nurse aide competency test by December 31, 2001.**

<b>Federally-Certified Nursing Homes</b>	<b>ICFs/MR, Hospitals, Home Health Agencies, Hospices and Licensed-Only Nursing Homes</b>
<ul style="list-style-type: none"><li>• The student nurse is already included on the Wisconsin Nurse Aide Directory as a result of completing an approved nurse aide training and testing program; or</li></ul>	<ul style="list-style-type: none"><li>• The student nurse is already included on the Wisconsin Nurse Aide Directory as a result of completing an approved nurse aide training and testing program; or</li></ul>
<ul style="list-style-type: none"><li>• The student nurse has successfully completed an approved nurse aide competency test.</li></ul>	<ul style="list-style-type: none"><li>• The student nurse has successfully completed an approved nurse aide competency test; <b><u>Or</u></b></li><li>• The student nurse has successfully completed the basic nursing course of an accredited school for professional or licensed practical nurses.</li></ul>

### **Approved Nurse Aide Competency Testing Programs**

Contact the Wisconsin Nurse Aide Directory for information regarding approved nurse aide competency testing programs in your area. Competency test fees range from \$25.00 to \$140.00. Training and testing reimbursement is available to nurse aides listed on the Directory who are employed by a nursing home within 12 months of completing the test. The Wisconsin Medicaid program reimburses nursing homes for this cost through the Nurse Aide Training and Competency Evaluation Reimbursement Request form, EDS-00611.

A person who has a certificate proving the successful completion of an approved nurse aide competency test meets employment eligibility. Nurse Aide Directory applications are processed within 30 days. Employers must verify the person’s placement on the Directory by calling the Interactive Voice Response

(IVR) at (877) 573-1081. Information regarding a nurse aide's employment eligibility is available seven days a week, 24 hours per day. Callers are limited to ten inquiries per telephone call.

**Wisconsin Nurse Aide Directory and Nurse Aide Training Program Web Site**

The Department's web site for the Wisconsin Nurse Aide Directory and Nurse Aide Training Program contains the most current versions of relevant documents, such as forms, frequently asked questions, fact sheets, and BQA Memos. The web site address is:

**[www.dhfs.state.wi.us/caregiver/NATD/NATDintro.htm](http://www.dhfs.state.wi.us/caregiver/NATD/NATDintro.htm)**

**For answers to questions regarding the Nurse Aide Directory contact:**

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